

24280

E A S E M E N T

KNOW ALL MEN BY THESE PRESENTS:

That DONLUF GERBIG and JULIAU GERBIG husband and wife, and Lincoln Lawn and Home Center, a Nebraska corporation, herein called "Grantor", whether one or more, record owner of the real property hereinafter described, for and in consideration of the sum of One Dollar and other good and valuable consideration (\$ _____), duly paid, the receipt whereof is hereby acknowledged, and the further consideration of the performance of the covenants and agreements by Grantee as hereinafter set out and expressed, does hereby GRANT, REMISE, and RELINQUISH unto the CITY OF LINCOLN, NEBRASKA, a municipal corporation, its successors and assigns, herein called "Grantee", the RIGHT, PRIVILEGE and EASEMENT to construct, reconstruct, maintain, operate, and replace an 18-inch sanitary trunk sewer and appurtenances thereto belonging, over and through the following described real property, to-wit:

A strip of land 20.0 feet in width through a portion of Lot 43, an Irregular Tract located in the Southwest Quarter of Section 1, Township 9 North, Range 6 East of the Sixth Principal Meridian, in the City of Lincoln, Lancaster County, Nebraska, whose centerline is more particularly described as follows:

Commencing at the intersection with the west line of the said Southwest Quarter and the extension of the north line of Pioneers Boulevard; thence east along the north line of said Pioneers Boulevard (also the south line of said Lot 43), a distance of 185.0 feet to the point of beginning; thence northeasterly along the arc of a circular curve bearing to the right, whose initial tangent deflects 90 degrees 56 minutes left, whose central angle is 32 degrees 14 minutes, and whose radius is 259.55 feet, a distance of 146.02 feet to the point of tangency with a straight line; thence northeasterly along the said straight line, a distance of 125.14 feet to the intersection with the southerly right-of-way line of the Burlington-Northern Railroad, said point measured perpendicular to the west line of said Southwest Quarter and 291.79 feet east thereof; containing an area of 5,423.2 Square Feet more or less.

TO HAVE AND TO HOLD UNTO THE CITY OF LINCOLN, NEBRASKA, its successors and assigns, so long as such 18-inch Sanitary Trunk Sewer shall be maintained, together with the right of ingress and egress to said property from the public streets, for the purpose of constructing, reconstructing, inspecting, repairing, maintaining, operating and replacing said 18-inch Sanitary Trunk Sewer and appurtenances thereto, located thereon, in whole or in part, at the will of Grantee, it being the intention of the parties hereto that Grantor is hereby granting the uses herein specified without divesting Grantor of title and ownership of the rights to use and enjoy the above described property for any purpose except the construction thereon of permanent buildings, subject only to the right of Grantee to use the same for purposes herein expressed, and subject to any prior leases or easements of record heretofore granted to other parties.

THIS INSTRUMENT, and the covenants and agreements herein contained shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors and assigns of the respective parties.

IN WITNESS WHEREOF, we have hereunto set our hands this 25 day of September, 1984.

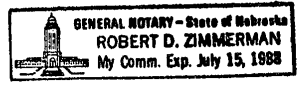
Donley F. Gerbig
Paul C. Gerbig

ATTEST:
BY: Paul Myers Secretary
STATE OF NEBRASKA)
LANCASTER COUNTY) ss.

LINCOLN LAWN AND HOME CENTER,
A Nebraska Corporation
BY: Donley F. Gerbig
ITS: VICE PRESIDENT

On September 25 1984, before the undersigned, a Notary Public, personally came Donley F. Gerbig and Paul C. Gerbig to me known to be the identical person(s) whose name(s) (is) (are) affixed to the foregoing instrument and acknowledged the same to be a voluntary act and deed.

Witness my hand and notarial seal the day and year last above written.



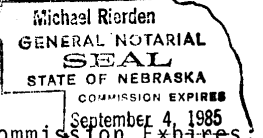
Robert D. Zimmerman
Notary Public

My Commission Expires:

STATE OF NEBRASKA)
LANCASTER COUNTY) ss.

On September 26th 1984, before the undersigned, a Notary Public, personally came Kathleen M. Evans to me known to be the Vice President of Lincoln Lawn and Home Center, a corporation, and identical person whose name is affixed to the foregoing instrument and acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said corporation.

Witness my hand and notarial seal the day and year last above written.



Michael Riorden
Notary Public

My Commission Expires:

INDEXED
MICRO-FILED
GENERAL
6-348
I.T.
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REGISTER OF DEEDS
1984 OCT -3 AM 11:57

FILED IN
NUMERICAL INDEX
FILED FOR RECORD AS:

INST. NO. 84- 24280

\$10.50

NOTE: to C.F.